

Panaji, 22nd July, 2010 (Ashada 31, 1932)

SERIES II No. 17

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

GOVERNMENT OF GOA**Department of Agriculture****Directorate of Agriculture****Order**

No. 2/14/95-AGR-1/174

Read: 1) Order No. 2/14/95-AGR-1/167 dated 17-07-2007.

2) Order No. 2/14/95-AGR-1/192 dated 26-6-2008.

3) Order No. 2/14/95-AGR-I/145 dated 10-07-2009.

Government is pleased to extend the deputation period of Shri Vithal Joshi, Agriculture Officer, Group 'B' Gazetted of this Directorate to Command Area Development Authority, Margao, against the post of Water Management Specialist for a further period of one year i.e. from 17-07-2010 to 16-07-2011, without any deputation allowances.

By order and in the name of the Governor of Goa.

S. S. P. Tendulkar, Director of Agriculture & ex officio Joint Secretary.

Tonca, Caranzalem, 16th July, 2010.

**Department of Co-operation****Office of the Asstt. Registrar of Co-operative Societies****Order**

No. 2/14/00-TS/LQD

Read: This office Order No. 2/14/00-TS/L&D dated 11-06-2009, 23-12-2004 appointing Shri Ligor Fernandes, Jr. Auditor, Co-op. Societies, North Zone, as a Liquidator

of V. S. Dempo Surla Mines Staff Cons. Co-op. Society Ltd., Surla, Bicholim-Goa.

In partial modification of this office order cited above Shri Dinesh M. Kantak Jr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa is hereby appointed as a liquidator of V. S. Dempo Surla, Mines Staff Cons. Co-op. Society Ltd., Surla, Bicholim-Goa in place of Shri Ligor Fernandes, Jr. Auditor/Inspector with effect from the date of taking over the charge of the Society.

Sd/- (V. B. Devidas), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 26th February, 2010.

Notification

No. 5-1271-2010/ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001. "The Spectrum Enclave Co-operative Housing Maintenance Society Limited" Varca, Salcete-Goa is registered under code symbol No. HSG-(d)-765/South Goa/2010.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 28th June, 2010.

Certificate of Registration

"The Spectrum Enclave Co-operative Housing Maintenance Society Limited" Varca, Salcete-Goa is registered on 28-06-2010 under registration code symbol No. HSG-(d)-765/South Goa/2010 and it is classified as "Housing Society" under sub-classification No. 7-(d)-Co-partnership Housing Maintenance Society in terms of Rule 8 of the Co-operative Societies Rules, 2003.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 28th June, 2010.

Notification

No. 5-1270-2010/ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001. "The Nosso-Lar Co-operative Housing Maintenance Society Limited" Near Colva, Junction, Betalbatim-Colva Road, 4th Ward, Colva, Salcete-Goa is registered under code symbol No. HSG-(d)-766/South Goa/2010.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 28th June, 2010.

Certificate of Registration

"The Nosso-Lar Co-operative Housing Maintenance Society Limited" Near Colva, Junction, Betalbatim-Colva Road, 4th Ward, Colva, Salcete-Goa is registered on 28-06-2010 under registration code symbol No. HSG-(d)-766/South Goa/2010 and it is classified as "Housing Society" under sub-classification No. 7-(d)-Co-partnership Housing Maintenance Society in terms of Rule 8 of the Co-operative Societies Rules, 2003.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 28th June, 2010.

Notification

No. 5-1269-2010/ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001. "The Pash Beach Arcade Co-operative Housing Society Limited" Near Maria Hall, Benaullim, Salcete-Goa is registered under code symbol No. HSG-(b)-764/South Goa/2010 and it is classified as "Housing Society" under sub-classification No. 7-(b)-Co-partnership Housing Maintenance Society in terms of Rule 8 of the Co-operative Societies Rules, 2003.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 23rd June, 2010.

Certificate of Registration

"The Pash Beach Arcade Co-operative Housing Society Limited" Near Maria Hall, Benaullim, Salcete-Goa is registered on 23-06-2010 under registration code symbol No. HSG-(b)-764/South Goa/2010 and it is classified as "Housing Society" under sub-classification No. 7-(b)-Co-partnership Housing Maintenance Society in terms of Rule 8 of the Co-operative Societies Rules, 2003.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 23rd June, 2010.

Department of Finance

Directorate of Accounts

Order

No. DA/Admn/45-6/2010-11/TR-1313/39

The Government is pleased to order the transfer and posting of the following Assistant Accounts Officers under Common Accounts Cadre as shown below with immediate effect on administrative grounds:

Sr. No.	Name of the Officers	Present place of posting	Transferred and posted at
1	2	3	4
1.	Shri Santosh Y. Khedekar	Directorate of Fire & Emergency Services, Campal, Panaji	Directorate of Education, Panaji.
2.	Shri Narayan K. Gaonkar	Directorate of Education, Panaji	Directorate of Printing & Stationery, Panaji.
3.	Shri Vishwanath Gaonkar	Directorate of Printing & Stationery, Panaji	Directorate of Fire & Emergency Services, Campal, Panaji.

Shri Rajendra Gaude, Assistant Accounts Officer who is presently working in the Goa College of Arts, Altinho, Panaji, shall hold the additional charge of the post of Assistant Accounts Officer in the Office of Director, Women & Child Development, Panaji, Goa in addition to his own duties as temporary stop gap arrangement till the time regular substitute is posted.

Wherever the transferees do not change their place of residence from old station to new, they will not be entitled for availing of joining time nor transfer TA as provided under CCS Rule.

On joining their new assignments, the officers shall send CTC/Joining Report to this Directorate immediately for records.

The Officer at Sr. No. 1 shall move first.

By order and in the name of the Governor of Goa.

P. S. Gude, Joint Secretary.

Panaji, 9th July, 2010.

Order

No. DA/Admn/45-5/10-11/TR-1338/40

The Government is pleased to order the transfer and posting of Shri Sadanand B. Kamat, Dy. Director of Accounts/Accounts Officer under Common Accounts Cadre who was repatriated from the Goa Horticultural Corporation, Panaji and reported to this Directorate on 02-07-2010 and was awaiting posting since then to Directorate of Accounts, South Branch Office, Margao against vacant post with immediate effect on administrative grounds:

The period from 02-07-2010 to 09-07-2010 is treated as duty and shall be dealt with for the purpose of payment of salary in accordance with Government of India decision 20 below F.R. 9 (6)(b)(ii).

And his salary for the period from 02-07-2010 onwards be drawn against the vacant post of Dy. Director of Accounts at South Branch Office, Margao.

Further Shri Kumarsen Kambli, Dy. Director of Accounts/Accounts Officer who is working in the Goa Sarva Shiksha Abhiyan, Porvorim-Goa, shall hold the additional charge of the post of the Manager Accounts/Admn in the Goa State Horticultural Corporation, Panaji for sometime as purely temporary stop gap arrangements until a regular substitute is deputed.

Wherever the transferees do not change their place of residence from old station to new, they will not be entitled for availing of joining time nor transfer TA as provided under CCS Rule.

On joining their new assignments, the officers shall send CTC/Joining Report to this Directorate immediately for records.

By order and in the name of the Governor of Goa.

P. S. Gude, Joint Secretary.

Panaji, 9th July, 2010.

Order

No. DA/Admn/45-5/10-11/TR-1385/42

The Government is pleased to order the transfer and posting of the following Dy. Director of Accounts/Accounts Officer under Common Accounts Cadre as shown below with immediate effect on administrative grounds:

Sr. No.	Name of the Dy. Director of Accounts/ /Accounts Officer	Present place of posting	Transferred and posted at
1.	Smt. Maria Goretti Colaco	Goa Information Technology Corporation, Porvorim	Department of Information Technology, Porvorim.

Further Smt. Maria Goretti Colaco, Dy. Director of Accounts/Accounts Officer shall hold the additional charge of the post of Dy. Director of Accounts/Accounts Officer in the Goa Information Technology Corporation, Porvorim, Goa as temporary stop gap arrangement till the regular substitute is deputed.

Deputation period of Smt. Maria Goretti Colaco, Dy. Director of Accounts/Accounts Officer stands curtailed from the date of her relieving from the Corporation.

Wherever the transferees do not change their place of residence from old station to new, they will not be entitled for availing of joining time nor transfer TA as provided under CCS Rule.

On joining their new assignments, the officers shall send CTC/Joining Report to this Directorate immediately for records.

By order and in the name of the Governor of Goa.

P. S. Gude, Joint Secretary.

Panaji, 13th July, 2010.

◆◆◆

Department of Labour
Notification

No. 28/1/2010-LAB

The following Award passed by the Labour Court-II, at Panaji-Goa on 12-05-2010 in reference No. LC-II/IT/4/09 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

B. S. Kudalkar, Under Secretary (Labour).

Porvorim, 14th July, 2010.

IN THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. Ref. LC-II/IT/4/09

Shri Fondu Hoble,
Rep. by the General Secretary,
Kadamba Kamgar Union,
BG-10, Gr. Floor,
Casa Immaculada,
Nr. Panajim Church,
Jose Falcao Road,
Panjim-Goa.

... Workman/Party I

V/s

M/s. Kadamba Transport
Corporation Ltd.,
Paraise-de-Goa,
Alto, Porvorim, Bardez-Goa. ... Employer/Party II

Party I/Workman represented by Adv., A.
Kundaikar.

Party II/Employer represented by Adv., P.
Nimbalkar.

Panaji, dated: 12-05-2010

AWARD

1. In exercise of the powers conferred by Section 10 (1) (d) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa by Order dated 05-08-2009 bearing No. 28/08/2009-LAB referred the following dispute for adjudication to the Industrial Tribunal of Goa, at Panaji-Goa.

“(1) Whether the action of M/s. Kadamba Transport Corporation Limited, Alto, Porvorim, Bardez-Goa in retrenching the services of Shri Fondu Hoble, Conductor, Batch No. 6842, w.e.f. 15-01-2008 is legal and justified?

(2) If not, what relief the Workman entitled to?”

2. On receipt of the reference a case was registered under No. LC-II/IT/4/09 and registered A/D notices were issued to the parties. In pursuance of the said notices, the parties put in their appearance. The Workman/Party I (for short, “Workman”) filed his statement of claim at Exhibit-4. The facts of the case in brief as pleaded by the Workman are that he was appointed as Conductor, Badge No. 6842 by the Employer/Party II (for short ‘Employer’) after successful

interview and was posted at Vasco depot. He stated that his initial appointment was for six months which was extended from time to time as he was diligent in discharging his duties. He stated that he was in continuous service for more than 240 days till his services were retrenched without any justifiable ground. He stated that he was paid consolidated salary of Rs. 3,000/- per month. He stated that his service records were honest and unblemished. He submitted that his services were retrenched w.e.f. 15-01-2008 without conducting any departmental enquiry or issuing any charge sheet. He submitted that since he had completed 240 days continuous service, it was incumbent upon the Employer to comply with the provisions of 25-F of the Industrial Disputes Act, 1947. He submitted that the violation of the provision of Section 25-F of the Industrial Disputes Act, 1947 by the Employer Corporation, he is entitled for reinstatement in services with full back wages and continuity in service. He submitted that the post of Conductor was permanent post and he had discharged the duties efficiently without any break in services till he was retrenched. He submitted that the retrenchment of his services is illegal and untenable in the eyes of law as there was no enquiry held before the retrenchment of services nor he was paid one month salary in lieu of the notice period, retrenchment benefits, gratuity and other consequential benefits attached to the post. He stated that he was also not paid any legal dues which he is entitled on account of tenure of the services. He contended that the action of the Employer Corporation in retrenching his services is illegal and amounts to victimization. He contended that since he was in service for more than 240 days in permanent post of Conductor, the Employer Corporation ought to have complied with the provisions of Section 25-F of the Industrial Act, 1947. He submitted that he has been grossly discriminated against the whims and caprices of unmoving bureaucracy and deprived him the permanent post held continuously. He submitted that pending the hearings and final disposal of the reference, he is ready and willing to join the services. He contended that he is unemployed from the date of his retrenchment and increasingly finds difficult to sustain himself. The Workman therefor prayed that an Award be passed holding that the retrenchment of his services w.e.f. 15-01-2009 is illegal and unjustified and he may be awarded full back wages from the date of retrenchment till passing of the Award.

3. The Employer resisted the aforesaid claim statement filed by the Workman by filing their written statement on 27-11-2009 at Exhibit-7. The Employer Corporation by way of its written statement stated that the Workman was initially appointed as a "Conductor" by virtue of order dated 22-03-2005 on 'Badli System' and the consolidated wages were Rs. 100/- per day for the period starting from 22-03-2005 to 21-09-2005. The Employer Corporation stated that his services were extended. The Employer Corporation stated that the Workman used to repeatedly remain absent without any intimation. The Employer Corporation stated that the Workman was refusing to perform duty on overtime and also on single schedules and therefore he was issued default notices for the same. The Employer Corporation stated that considering the repeated absenteeism, irregularity in reporting to duty and improper behaviour, the Workman was not considered for further employment. The Employer Corporation stated that the Workman vide his representation dated 03-11-2007 addressed to them apologized for his past misconduct and requested to appoint him in their services. The Employer Corporation stated that they considered the said request of the Workman. The Employer Corporation stated that the Workman was appointed afresh as "Conductor" in 'Badli System' for the period of three months starting from 02-11-2007 to 01-02-2008 by virtue of their order dated 02-11-2007. The Employer Corporation stated that the Workman joined the services afresh by accepting the terms and conditions of services laid down in the said order by submitting his Joining Report. The Employer Corporation stated that in terms of Clause-3 of the said order, the services of the Workman were liable to be terminated without assigning any reason. The Employer Corporation denied that the services of the Workman were extended from time to time till he was allegedly retrenched on 15-01-2008 and that the Workman was diligent in discharging his services. The Employer Corporation denied that the Service Records of the Workman is honest and unblemished, being false. The Employer Corporation submitted that there is no violation of Sec. 25-F of the Industrial Disputes Act, 1947. The Employer Corporation stated that the Workman had not completed 240 days of continuous service as alleged. The Employer Corporation submitted that they have not committed any illegality as alleged by the Workman and hence he is not

entitled for any relief from this Hon'ble Court. The Employer Corporation submitted that the services of the Workman were terminated as his conduct and performance was not found to be satisfactory. The Employer Corporation submitted that they have not committed any illegality or victimization as alleged. The Employer Corporation denied that the Workman is a member of the Kadamba Kamgar Union and hence the said Union has no locus standi and thus cannot make any representation on behalf of the Workman. The Employer Corporation denied the case of the Workman in toto and prayed for the dismissal of the reference issued by the Government of Goa.

4. After filing of the written statement by the Employer Corporation, an opportunity was given to the Workman to file his re-joinder to the written statement filed by the Employer Corporation, the Workman however, failed to avail the said opportunity given to him by submitting that he does not wish to file any re-joinder.

5. Based on the pleadings filed by the respective parties this Hon'ble Court framed the following issues on 17-12-2009 at Exhibit-8.

1. *Whether the Workman/Party I proves that he was in continuous service of the Employer/ /Party II for more than 240 days till his services were retrenched w.e.f. 15-01-2008?*
2. *Whether the Workman/Party I proves that the action of the Employer/Party II in retrenching his services w.e.f. 15-01-2008 is illegal and unjustified?*
3. *Whether the Workman/Party I proves that the Employer/Party II violated the provisions of Section 25-F of the Industrial Disputes Act, 1947?*
4. *Whether the Employer/Party II proves that the Workman/Party I was appointed on Badli System and for fixed period?*
5. *Whether the Employer/Party II proves that the Kadamba Kamgar Union has no locus standi to represent the Workman?*
6. *Whether the Workman/Party I proves that he is entitled for any relief?*
7. *What Order? What Award?*

6. My answers to the aforesaid issues are as under:

Issue No. 1: In the Affirmative.

Issue No. 2: In the Affirmative.

Issue No. 3: In the Affirmative.

Issue No. 4: In the Affirmative.

Issue No. 5: In the Negative.

Issue No. 6: As per final order.

Issue No. 7: As per final order.

REASONS:

7. *Issue No. 1:* It is the Workman who has raised the present industrial dispute pertaining to his alleged illegal retrenchment of services by the Employer Corporation w.e.f. 15-01-2008 by contending that he was in continuous service of 240 days till he was retrenched without any justifiable ground. Therefore, the burden to prove the aforesaid contention is on him.

I have heard the arguments of the Ld. Advocates appearing for the respective parties.

The Ld. Adv., A. Kundaikar representing the Workman during the course of his oral arguments submitted that the Workman in his Affidavit in Evidence filed in the present proceedings stated that he was initially appointed for a period of six months and posted at Vasco depot. He submitted that the services of the Workman were extended from time to time and produced on record his initial Appointment Order dated 22-03-2005 at Exhibit-W/1-Colly. He submitted that the Workman was issued another Appointment Letter dated 02-11-2007 at Exb. E/1 when he was already in the employment of the Employer Corporation at Vasco Depot as a "Conductor" and hence there was no interruption in his service. He submitted that the Workman was in continuous service of the Employer Corporation for more than 240 days from the date of his initial appointment till his services were retrenched w.e.f. 15-01-2008 without any justifiable ground.

On the contrary the Ld. Adv., Shri P. Nimbalkar representing the Employer Corporation during the course of his oral arguments submitted that the Workman was initially appointed as a "Conductor" on the 'Badli System' vide order dated 22-03-2005 for the period starting from 22-03-2005 to 21-09-2005 at Exb. W/1-Colly and his services were further extended. He submitted that the Workman was again appointed afresh as "Conductor" on 'Badli System' vide another order of the Employer Corporation dated 02-11-2007 at Exhibit-E/1 for the period starting from 02-11-2007 till 01-02-2008 pursuant to his application dated 30-10-2007 at Exhibit-E/3. He submitted that the Workman joined the duty vide his joining report dated 03-11-2007

at Exhibit-E/2. He submitted that consequent to the joining of duty on 03-11-2007 by the Workman in the services of the Employer Corporation, vide his joining report dated 03-11-2007 at Exhibit-E/2, the prior services of the Workman came to an end and hence, there is no continuity of service of 240 days on the part of the Workman.

I have carefully considered the various oral submissions made by the Ld. Advocates for the respective parties. I have also carefully perused the entire records of the present case.

8. Admittedly, an initial Appointment Order of the Employer Corporation dated 22-03-2005 issued to the Workman at Exb. W/1-colly on record indicates that the Workman was appointed as a "Conductor" on 'Badli System' with the Employer Corporation for the period from 22-03-2005 to 21-09-2005. The Employer Corporation also did not dispute the said Appointment Order issued to the Workman by them. It is also admitted by the Employer Corporation in the written statement filed in the present proceedings that the services of the Workman were extended.

The Employer Corporation, however contended that the Workman vide its representation apologized for his past misconduct and requested to appoint him in their services and therefore after considering the request of the Workman, he was appointed afresh as "Conductor" on 'Badli System' for a period of three months from 02-11-2007 to 01-02-2008 and produced on record the fresh Order Appointment of the Workman dated 02-11-2007 at Exb. E/1, joining report of the Workman dated 03-11-2007 at Exb. E/2 and the letter of the Workman dated 30-10-2007 at Exb. E/3. The said letter of the Workman dated 30-10-2007 at Exb. E/3 indicates that he was working as a "Conductor" at Vasco Depot of the Employer Corporation. The said letter at Exb. E/3 also indicates that the Workman vide his aforesaid letter informed the Employer Corporation that he will not remain absent from his duties and that he will be regular in attending his duties. The Workman vide his aforesaid letter further stated that in the event, he wants to stay at home; he will give note of the same. The said letter of the Workman at Exhibit-E/3 however does not indicate that the Workman has made any request for appointing him afresh after terminating him as contended by the Ld. Adv., P. Nimbalkar. The Employer Corporation failed to produce any material evidence on record in support of their

contention that they have not considered for further employment to the Workman because of his repeated absenteeism, irregularity in reporting to the duties and improper behaviour on the part of the Workman.

On the contrary, the material evidence on record clearly indicates that the services of the Workman were extended from time to time till 14-01-2008, though his initial appointment was for a period of six months from 22-03-2005 to 21-09-2005 and also issued a subsequent Order of Appointment for further three months starting from 02-11-2007 to 01-02-2008 when the Workman was already in their service at Vasco depot. The Employer Corporation has not even clarified that there was no work available to the Workman on the particular dates or periods. Thus, in the absence of any material evidence on record, to show that the services of the Workman were terminated or interrupted by the Employer Corporation prior to issuing him a subsequent order of appointment at Exhibit-E/1, it cannot be said that the Workman was not in continuous service of the Employer Corporation.

9. It has been held by the Supreme Court of India in the case of *Director, Fisheries Terminal Division v/s Bhikubhai Meghajibhai Chawda reported in 2009 III CLR 941* that "with the statement on oath by the respondent - Workman that he had worked for 240 days continuously in a year with appellant, the burden to prove it otherwise, shifted to the Employer". Applying the aforesaid principle laid down by the Hon'ble Supreme Court of India in the aforesaid case, the Employer Corporation failed to discharge its burden by proving that the Workman was not continuously working for 240 days in a 12 calendar months preceding the date of his alleged retrenchment, though they denied the statement made by the Workman on oath that he was in continuous service for more than 240 days in a year. The Appointment Order dated 02-11-2007 produced on record by the Employer Corporation at Exhibit-E/1 cannot be said to be a fresh order as there is no discontinuity in service of the Workman. Hence it is held that the Workman was in continuous service of the Employer Corporation till the date of his retrenchment w.e.f. 15-01-2008.

10. *Issue Nos. 2 and 3:* It is the Workman who has raised the present Industrial Dispute pertaining to his alleged retrenchment by contending that

he has been retrenched without following the procedure prescribed under Sec. 25-F of the I. D. Act, 1947 or without issuing him any show cause notice, charge sheet or holding any enquiry and hence it is illegal and unjustified. The Employer Corporation denied the aforesaid contention of the Workman. Hence, the burden to prove the said contention is on the Workman. This Hon'ble Court therefore framed the existing Issue Nos. 2 & 3. Infact Section 25-F of the Industrial Disputes Act, 1947 prescribes the procedures to be followed by the Employer while retrenching its workmen. Therefore, the existing issues No. 2 and 3 are answered together.

I have heard the arguments of the Ld. Advocates appearing for the respective parties.

11. The Ld. Adv., A. Kundaikar during the course of his oral arguments submitted that the Workman was working with the Employer Corporation since 22nd March, 2005 continuously without any break in services till the date of his retrenchment w.e.f. 15-01-2008. He submitted that the Employer Corporation has failed to pay to the Workman, one month's salary in lieu of the notice period, retrenchment compensation, gratuity and other consequential benefits attached to the post and any other legal dues which he is entitled on account of his retrenchment. He submitted that failure to comply with the provisions of 25-F of the Industrial Disputes Act, 1947 renders the action of the Employer Corporation of retrenching the services of the Workman illegal. He submitted that no Seniority List was also prepared and displayed by the Employer Corporation as required in the Rule- 77 and 78 of the Industrial Dispute (Central) Rules, 1957. He submitted that neither show cause notice, charge sheet was issued to the Workman nor conducted an enquiry prior to the retrenchment of his services, hence the action of the Employer Corporation is in breach of Sec. 25-F of the I. D. Act, 1947 as well as principles of natural justice.

12. On the contrary the Ld. Adv., Shri P. Nimbalkar representing the Employer Corporation submitted that the Workman has failed to prove the initial burden that he has worked for the Employer Corporation continuously 240 days in a 12 calendar months preceding the date of his termination w.e.f. 15-01-2007 and hence the Workman cannot claim the violation of Section 25-F of the Industrial Disputes Act, 1947. He submitted that by order dated 2-11-2007 at Exb. E/1 the

Workman was appointed afresh as a "Conductor" on 'Badli System' w.e.f. 02-11-2007 to 01-02-2008 on daily wage basis and his services were terminated on 15-01-2008 in terms of Clause 3 of his Appointment Order at Exb. E/1. He therefore submitted that the Workman has not completed the continuous service of 240 days in a 12 calendar months preceding the date of his termination. He submitted that the termination of services of the Workman is on account of his repeated absenteeism, irregularity in reporting to the duties and improper behaviour and as per Clause 3 of his Appointment Order at Exb. E/1. Hence it is perfectly legal and justified and there is no violation of any of the provisions of the industrial laws while terminating the services of the Workman.

I have carefully considered the various oral submissions made by the Ld. Advocates for the respective parties during the course of oral arguments. I have also perused the entire records of the case.

13. It is the contention of the Workman that he has been retrenched by the Employer Corporation without following the procedure prescribed u/s 25-F of the I. D. Act, 1947 or without issuing him any show cause notice, charge sheet or after holding any enquiry and hence the action of the employer Corporation is illegal and unjustified. The Workman also filed his detailed Affidavit-in-evidence in support of his aforesaid contention to prove his case. On the contrary, the Employer Corporation denied the aforesaid contention of the Workman and clarified that the termination of services of the Workman is on account of his repeated absenteeism, irregularity in reporting to his duties and improper behaviour and in terms of Clause-3 of their order dated 02-11-2007 issued to the Workman at Exhibit-E/1 which reads as under:

"His employment is liable to be terminated at any time without assigning any reasons."

The Employer Corporation however failed to produce on record any material evidence either oral or documentary in support of their contention that they have terminated the services of the Workman on account of his misconduct of absenteeism, improper behaviour and irregularity in reporting to duties and not on account of retrenchment as alleged by the Workman.

It is settled principles of Industrial Law that the one does not require to issue any show cause notice or charge sheet or conduct an enquiry, but it requires to follow the procedure prescribed u/s 25-F of the I. D. Act, 1947 while retrenching the services of the Workman.

Section 25-F of the Industrial Disputes Act, 1947 reads as under:

"No Workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by the employer until—

- (a) The Workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the Workman has been paid in lieu of such notice, wages for the period of the notice:*
- (b) The Workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days of average pay (for every completed period of service) or any part thereof in excess of six months; and*
- (c) Notice in the prescribed manner is served on the appropriate Government [or such authority as may be specified by the appropriate Government by notification in the Official Gazette.]"*

14. In the present case, while discussing the Issue No. 1, I have already come to the conclusion and held that the Workman was in continuous service of the Employer Corporation from the date of joining the services from 22-03-2005 till the date of his retrenchment w.e.f. 15-01-2008. The evidence on record indicates that the Workman has not been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired or the Workman has not been paid in lieu of the said notice, wages for the period of notice, retrenchment compensation equivalent to 15 days of average pay of every completed period of service, etc., as stated in Sec. 25-F of the I. D. Act, 1947. The procedure prescribed u/s 25-F of the I. D. Act, 1947 is mandatory. Hence, it is held that the action of Employer Corporation in retrenching the services of the Employer Corporation is in violation of Sec. 25-F of the I. D. Act, 1947.

15. The Employer Corporation justified its action of terminating the services of the Workman w.e.f. 15-01-2008 in terms of Clause-3 of the order dated 02-11-2007 issued to the Workman at Exhibit-E/1. The said terms at Clause-3 read as under:

"His employment is liable to be terminated at any time without assigning any reasons."

The aforesaid terms at Clause-3 of the Appointment Order issued to the Workman at Exhibit-E/1 is therefore in violation of well established norms of principles of natural justice. It has been held by the Hon'ble Bombay High Court in its case of the Raymond Woollen Mills Ltd., v/s C. S. Sonawane and Anr. reported in 1993 LAB. I. C. 1494 that "the termination of service of the Badli Workman without complying with the provisions of the Sec. 25-F of the I. D. Act, 1947 is illegal. It has been further held that Sec. 25-F of the I. D. Act, 1947 makes no difference or distinction between a Badli Workman and non-badli Workman. The action of the Petitioner in doing so was therefore illegal, improper and in violation of principles of natural justice." The principle laid down by the Hon'ble High Court of Bombay in its aforesaid case is equally applicable in the present case.

In the present case, the evidence on record indicates that the Workman was working continuously more than 240 days in a calendar 12 months preceding the date of his termination of services. Undisputedly, the services of the Workman has been retrenched by the Employer Corporation without any justifiable ground. The evidence on record indicates that the Employer Corporation also failed to follow the procedure prescribed u/s 25-F of the I. D. Act, 1947.

Hence, it is held that the action of the Employer Corporation in retrenching the services of the Workman w.e.f. 15-01-2008 is in violation of Section 25-F of the I. D. Act, 1947 as well as the principles of natural justice and hence it is illegal and unjustified.

16. *Issue No. 4:* It is the Employer Corporation who contended that the Workman was appointed on 'Badli System' and for fixed period, in the written statement filed by them in the present proceedings. Hence the burden to prove the said contention is on them.

In order to prove its aforesaid contention, the Employer Corporation produced on record their order dated 02-11-2007 at Exhibit-E/1 by which the Workman was appointed as a "Conductor" on 'Badli System' for period of three months w.e.f. 02-11-2007 to 01-02-2008 on certain terms and conditions laid down in the said order. The Workman also produced on record his initial Appointment Order dated 22-03-2005 issued to him by the Employer Corporation at Exhibit-W/1-Colly. The said initial Appointment Order at Exhibit-W/1-Colly indicates that the Workman was also appointed as "Conductor" on 'Badli System' for the period from 22-03-2005 to 21-09-2005. Thus, both the said Appointment Orders issued to the Workman on record clearly proves that the Workman was appointed as a "Conductor" on 'Badli System' on the same terms and conditions and for fixed period as stated in the said Orders. Hence, it is held that the Workman was appointed on 'Badli System' and for fixed period.

17. *Issue No. 5:* The Employer Corporation challenged the present order of reference issued by the Government of Goa by contending that the Kadamba Kamgar Union has no locus standi to represent the Workman in the written statement filed in the present proceedings. Hence, the onus to prove the said contention is on the employer Corporation.

Though the Employer Corporation pleaded in the written statement filed by them that the Kadamba Kamgar Union has no locus standi to represent the Workman, they have failed to adduce any oral or documentary evidence on record to prove their aforesaid contention. On the contrary, the Workman has produced on record a receipt of payment of his membership of Kadamba Kamgar Union at Exhibit-W/2 to substantiate that he is a member of the said Kadamba Kamgar Union. Hence, it is held that the Employer Corporation failed to prove that the Kadamba Kamgar Union has no locus standi to represent the Workman.

18. *Issue No. 6:* It is the Workman at whose instance the present order of reference has been issued by the Government of Goa. Therefore, it is for the Workman to prove that he is entitle for any relief as prayed.

While discussing the Issue Nos. 2 & 3 herein-above I have already come to the conclusion and held that the action of the Employer Corporation is in violation of Section 25-F of the I. D. Act as

well as the principles of natural justice and hence it is illegal and unjustified. Similarly while discussing the Issue No. 4 hereinabove, I have already come to the conclusion and held that the Workman was appointed as a "Conductor" on 'Badli System' and hence he is not entitled for continuity in service, but entitled to be re-instated in the same status as "Conductor" in 'Badli System'. The evidence on record indicates that the Workman has absolutely failed to produce on record any material evidence to show that he was gainfully unemployed since his illegal retrenchment of services w.e.f. 15-01-2008 till date, hence he is not entitled for any back wages.

In view of the above, I proceed to pass the following Order:

ORDER

1. It is held that the action of M/s. Kadamba Transport Corporation Ltd., Alto-Porvorim, Bardez-Goa in retrenching the services of their Workman, Shri Fondu Hoble, Conductor, Badge No. 6842, w.e.f. 15-01-2008 is illegal and unjustified.
2. M/s. Kadamba Transport Corporation Ltd., Alto-Porvorim, Bardez-Goa is therefore directed to reinstate the Workman, Shri Fondu Hoble, Conductor, Badge No. 6842, in their services in the same status as "Conductor" in 'Badli System' with immediate effect.
3. No order as to costs.
4. Inform the Government accordingly.

Sd/-

(Suresh N. Narulkar),
Presiding Officer,
Labour Court-II.



Department of Law and Judiciary

Law (Establishment) Division



Notification

No. 9-18-2004-LD(Estt.)/Part-II(II)/1100

In exercise of the powers conferred by Section 3 of the Notaries Act, 1952 (Central Act 53 of 1952) read with Rule 8 of the Notaries Rules, 1956, the Government of Goa hereby appoints Shri Suresh Subba Rao Aithal, Advocate, Vasco-Da-Gama, Goa, as a Notary for a period of five years with effect

from 12th July, 2010 for the area of Mormugao taluka.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary, Law (Estt.).
Porvorim, 12th July, 2010.

Notification

No. 9-18-2004-LD(Estt.)/Part-II(IV)/1102

In exercise of the powers conferred by Section 3 of the Notaries Act, 1952 (Central Act 53 of 1952) read with Rule 8 of the Notaries Rules, 1956, the Government of Goa hereby appoints Shri Sunil Shankar Naik, Advocate, Panaji, Goa, as a Notary for a period of five years with effect from 12th July, 2010 for the area of Tiswadi taluka.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary, Law (Estt.).
Porvorim, 12th July, 2010.

Notification

No. 9-18-2004-LD(Estt.)/Part-II(VI)/1104

In exercise of the powers conferred by Section 3 of the Notaries Act, 1952 (Central Act 53 of 1952) read with Rule 8 of the Notaries Rules, 1956, the Government of Goa hereby appoints Shri Kashinath Shiva Mhalshekar, Advocate, Valpoi, Goa, as a Notary for a period of five years with effect from 12th July, 2010 for the area of Satari taluka.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary, Law (Estt.).
Porvorim, 12th July, 2010.

Notification

No. 9-18-2004-LD(Estt.)/Part-II(I)/1106

In exercise of the powers conferred by Section 3 of the Notaries Act, 1952 (Central Act 53 of 1952) read with Rule 8 of the Notaries Rules, 1956, the Government of Goa hereby appoints Shri Vinod Pundalik Halarnkar, Advocate, Margao, Goa, as a Notary for a period of five years with effect from 12th July, 2010 for the area of Salcete taluka.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary, Law (Estt.).
Porvorim, 12th July, 2010.

Notification

No. 9-18-2004-LD(Estt.)/Part-II(III)/1108

In exercise of the powers conferred by Section 3 of the Notaries Act, 1952 (Central Act 53 of 1952) read with Rule 8 of the Notaries Rules, 1956, the Government of Goa hereby appoints Shri Virendrakumar Pandurang Dessai, Advocate, Margao, Goa, as a Notary for a period of five years with effect from 12th July, 2010 for the area of Salcete taluka.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary, Law (Estt.).

Porvorim, 12th July, 2010.

Notification

No. 9-18-2004-LD(Estt.)/Part-II(V)/1110

In exercise of the powers conferred by Section 3 of the Notaries Act, 1952 (Central Act 53 of 1952) read with Rule 8 of the Notaries Rules, 1956, the Government of Goa hereby appoints Shri Shashikant Visvanath Nabar, Advocate, Panaji, Goa, as a Notary for a period of five years with effect from 12th July, 2010 for the area of Tiswadi taluka.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary, Law (Estt.).

Porvorim, 12th July, 2010.

Notification

No. 9-18-2004-LD(Estt.)/Part-II(VII)/1112

In exercise of the powers conferred by Section 3 of the Notaries Act, 1952 (Central Act 53 of 1952) read with Rule 8 of the Notaries Rules, 1956, the Government of Goa hereby appoints Shri Sayed Abbas, Advocate, Panaji, Goa, as a Notary for a period of five years with effect from 12th July, 2010 for the area of Tiswadi taluka.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary, Law (Estt.).

Porvorim, 12th July, 2010.

Notification

No. 9-18-2004-LD(Estt.)/Part-II(IX)/1146

In exercise of the powers conferred by Section 3 of the Notaries Act, 1952 (Central Act 53 of 1952) read with Rule 8 of the Notaries Rules, 1956, the Government of Goa hereby appoints Shri Menino Piedade Gomes, Advocate, Ponda, Goa, as a Notary for a period of five years with effect from 16th July, 2010 for the area of Ponda taluka.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary, Law (Estt.).

Porvorim, 16th July, 2010.

Department of Power

Office of the Chief Electrical Engineer

Order

No. STA/ELECT/INSPT/CONF/2310

Government is pleased to re-appoint Shri R. A. Ghali (retired Chief Electrical Engineer) on contract basis as "Electrical Inspector" in the pay scale of PB—3 Rs.15,600-39,100+G. P Rs. 7,600/- for the State Electrical Inspectorate, Government of Goa, Vidyut Bhavan, Panaji, with immediate effect for the period upto 24-8-2010.

He shall draw emoluments for the above stated period, in terms of C.C.S. (Fixation of pay of re-employed Pensioners) orders, 1986.

His re-appointment is further subject to executing the agreement specifying the terms and conditions of re-employment on contract basis.

By order and in the name of the Governor of Goa.

Nirmal Braganza, Chief Electrical Engineer & ex officio Addl. Secretary.

Panaji, 14th July, 2010.

Department of Public Health**Order**

No. 5/115/80-I/PHD

Read: 1) Order No. 7/4/2006-PER dated 10-01-2008.

2) Order No. 7/4/2006-PER dated 16-01-2008.

- 3) Order No. 22/1/2001-I/PHD dated 25-06-2008.
 4) Order No. 22/1/2001-I/PHD dated 03-07-2009.

The deputation of Dr. Pradeep Padwal as Project Director in the Goa State Aids Control Society is hereby extended for a further period till 31-01-2012.

The deputation of Dr. Pradeep Padwal shall be governed by the standard terms of deputation as contained in OM No. 13/4/74-PER dated 12-02-1999 issued by the Department of Personnel, Secretariat and as amended from time to time.

By order and in the name of the Governor of Goa.

Paula Fernandes, Under Secretary (Health-II).

Porvorim, 13th July, 2010.

Order

No. 4/3/2008-IV/PHD

On the recommendation of Goa Public Service Commission conveyed vide their letter No. COM/II/12/14(1)/2010/159 dated 18-06-2010, the Government is pleased to declare satisfactorily completion of probation period as well as Confirmation of the following Officers in the Department of Conservative Dentistry (Operative Dentistry) in Goa Dental College and Hospital in the post shown against their names with immediate effect:-

Sr. No.	Name of officer	Date of probation period completed	Post to which probation period completed and confirmed
1.	Dr. Marina Rosita Fernandes	01-04-2008 to 31-03-2009	Lecturer.
2.	Dr. Rajan Lambor	31-07-2008 to 30-07-2009	Lecturer.

By order and in the name of the Governor of Goa.

Derrick Pereira Neto, Under Secretary (Health).

Porvorim, 14th July, 2010.

Notification

No. 22/1/2003-I/PHD

In exercise of the powers conferred by clause (d) of Section 2 of the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004) (hereinafter referred to as "said Act"), the Government of Goa hereby appoints the Director of Health Services as the competent authority.

By order and in the name of the Governor of Goa.

D. G. Sardessai, Joint Secretary (Health).

Porvorim, 12th July, 2010.

Notification

No. 22/1/2003-I/PHD

In exercise of the powers conferred by clause (b) of Section 2 of the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004) (hereinafter referred to as "said Act"), the Government of Goa hereby appoints the Secretary (Health) as the appellate authority.

By order and in the name of the Governor of Goa.

D. G. Sardessai, Joint Secretary (Health).

Porvorim, 12th July, 2010.

◆◆◆
Department of Revenue

—
Notification

No. 23/27/2008-RD

Whereas by Government Notification No. 23/27/2008-RD dated 12-01-2009 published on Official Gazette, Series II No. 44 dated 29-01-2009 and in two newspapers (1) "Navhind Times" dated 21-01-2009 and (2) "Goa Doot" dated 21-01-2009, it was notified under Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), that the land specified in the Schedule appended to the said Notification (hereinafter referred to as the said land) was needed for the public purpose, viz. Land Acquisition for 4 lanning of road from Tolleband Junction to Arlem Junction in Fatorda Constituency.

And whereas, the Government of Goa (hereinafter referred to as "the Government") after

considering the report made under sub-section (2) of Section 5-A the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to as "the said land").

Now, therefore, the Government hereby declares, under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also hereby appoints, under clause (c) of Section 3 of the said Act, the Dy. Collector/S.D.O., Salcete, Margao-Goa to perform the functions of the Collector, for all proceedings hereinafter to be taken in respect of the said land and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the Dy. Collector/S.D.O., Salcete, Margao--Goa till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Taluka: Salcete

City: Margao

P. T. S. No. Chalta No.	Names of the interested parties	Approx. area in sq. mts.
1	2	3
10 14 O:	Shri Shaikh Barkat.	100
10 10 O:	Shri Jose Agostinho Francisco De Noronha.	45
27 3/32 O:	Not available.	55
27 3/33 O:	Not available.	67
27 3/34 O:	Not available.	157
27 3/3 O:	Not available.	115
27 1 O:	Berta Noronha.	80
27 4 O:	Comunidade of Borda Margao.	12
26 9 O:	Kamlakant Govind Natckar.	325
26 6 O:	Church property Falerica de Igneta de Deus Espirito Santos Margao.	160
26 8 O:	Smt. Talipa Pereira E Sao Lazaro. Matildas Sao Lazaro Viegas. Lumene Zita Sao Lazaro E Colaco. S. A. Naik Dalal. Bhagwandas Shivji Patel. M/s. Perfect Constructions.	150

1	2	3
26 16 O:	Chapel property.	22
26 20 O:	Comunidade (Road).	20
26 5 O:	Shantilal Kusaldas & Brothers.	140
26 10 O:	Alfred Fernandes.	50
26 17 O:	Comunidade (Road).	10
26 11 O:	Sadanand Ladu Borkar. Dr. Antonio Cloris D'Costa.	65
26 48 O:	Suryakant Krishna Shet Verenkar.	70
26 12 O:	Suryakant Krishna Shet Verenkar.	5
26 13 O:	S. D. Sadikar.	70
26 14 O:	Joaquim Fernandes.	65
26 18 O:	Comunidade (Road).	16
26 15 O:	Mahadev Sombani.	90
31 28 O:	Comunidade (Road).	10
31 2 O:	1) Pikhan. 3) Halima Bi. 5) Zaima Bi. 2) Isaac Khan. 4) Muhumad Khan.	65
31 29 O:	Comunidade (Road).	7
31 5 O:	Shri Joao Baptista Sil Veira.	35
31 30 O:	Comunidade (Road).	6
31 8 O:	Leonardo Gadinha.	30
31 10 O:	1. Mohanrao Timaji Sinai Kakodkar. 2. Balkrishna Timaji Sinai Kakodkar. 3. Paresht Timaji Sinai Kakodkar. 4. Baban Timaji Sinai Kakodkar.	35
31 31 O:	Comunidade (Road).	7
31 13 O:	Joao Benecio De Soares alias Rosario Joao Soares.	32
31 16 O:	Maria Santana Parye. Loudes Cardozo.	40
31 19 O:	Oxforda Confietionary. Shetye & Salkar Builders.	55
31 20 O:	Minguelina Elip Fernandes.	50
31 21 O:	Santan Elip Fernandes.	55
31 1 O:	1) Antonio Francisco Souza. Ferraio. 2) Augusto Remedious Souza Ferraio. L: Mundkar A-Rosario D'Silva.	190
31 24 O:	1) Henry Francier Souza Ferraio. 2) Flora Vilma Souza Ferraio.	27
31 3 O:	Maria Ancecao Cardozo.	127
31 9 O:	Buzilo Dias.	65

1	2	3	1	2	3
31	27 O: –	18	45	74 O: Alberto Fernandes.	90
31	12 O: Joao Francisco Assis Fernandes.	77	45	101 O: Maria Olga Cardozo E Souza.	47
31	43 O: Not available.	15	45	6 O: Avelino Piedade D'Souza.	80
31	17 O: Jhairam Vassudev Bhise.	68	45	1 O: Shri Antonio Zacarias Francisco Caetano Ferrao.	107
31	18 O: –	58	61	31 O: a) –	8
32	29 O: Comunidade.	17	61	30 O: Shri Pascoal Fernandes.	83
32	30 O: 2) Olivia Clara T. L. Rodrigues.	187		Shri Nicolau Fernandes.	
	4) Antonio Francisco S. Rodrigues.		61	14 O: Santosh D. Kurtarkar.	35
	3) Ana Clara L. Rodrigues.			Prashant Dharmo D. Kurtarkar.	
	7) Maria Filomena S. Rodrigues.			Subhash Dharmo Kurtarkar.	
	6) Jose Piedade I. Rodrigues.			Dilip Dharmo Kurtarkar.	
	1) Domingo Ciriaco Rodrigues.			Sandeep D. Kurtarkar.	
	5) Ana Joaquina I. Rodrigues.			L: Mundcar – A/14 m2 Nicholas Furtado, B/69 m2 Cris Furtado.	
32	47 O: Comunidade.	16			
32	57 O: Antonio Pascoal Fernandes.	60	61	13 O: Mr. Alton D'Costa.	20
45	71 O: –	38	61	12 O: Paulo Menino Piedade Delfino Barreto alias Delphino Barreto.	115
45	38 O: Piedade Fernandes.	94			
45	62 O: Comunidade de Margao.	12	61	11 O: Mrs. Maria Goretti Menezes Cotta.	130
45	37 O: Shri Oliver Ignatius Araujo Coutinho.	100			
45	34 O: Any Gonsalves.	90	62	29 O: Joaquim Rodricks.	48
45	64 O: Comunidade de Margao.	19	62	28 O: Santan Ubaldo Medeira.	65
45	33 O: Elizabeth Siqueira.	66	62	21 O: Datatraya Baburao Kamat.	140
	Anita Siqueira.			Dinanath B. Kamat.	
	Margarel Siqueira.		62	17 O: Yassin Quazi Magdum.	114
	Alberto Siqueira.		62	15 O: Luis Manuel Rodricks.	135
	Geraldina Siqueira.		62	67 O: Vito Costancio Roque Madeira.	35
	Maria Siqueira.			Shri Jose Agostinho Joaquim Lawrenco Madeira.	
	Preciosa Siqueira.			Marianinha Sardina.	
	Patric Siqueira.			Maria Aninha Miranda Menezes.	85
45	40 O: Elias Soares.	45		Augustino Menezes.	
45	41 O: Kensarbai Naique Kuncolienkar.	130		Maria Amelia Menezes E Laurengo.	
45	45 O: Purshottam Xambu Dhond.	180		Antonio Menezes.	
45	32 O: 1) a) Felipa Pereira Lazares.	61		A. Manezes.	
	2) Matilda Lazares Viegas.			Sebastiao Rosario Pedro Madeira alais Sebastiao Madeira.	
	3) Lumona & Lazares.				
45	21 O: Avelino Xavier D'Costa.	84	62	52 O: Sebastiao Madeira.	33
45	20 O: Smt. Ruby Fernandes.	37		Maria Rosario Madeira.	
	Irene Josefina Carlota Fernandes alias Irene Carlota Fernandes.		62	50 O: Mario Piedade Simois.	28
45	76 O: Ciriaco Sebastiao Fernandes.	40	62	49 O: Roque Domingos Constancio Romano Alberto Dias.	65
	Smt. Ruby Fernandes.				
	Irene Josefina Carlota Fernandes alias Irene Carlota Fernandes.				
45	75 O: Alberto Fernandes.	13			
	Ciriaco Sebastiao Fernandes.				

1	2	3	1	2	3
62	58	O: Maria Aninha Miranda Menezes. Augustino Menezes. A. Manezes. Maria Amelia Menezes E Laurenco. Antonio Menezes. Sebastiao Rosario Pedro Madeira alais Sebastiao Madeira.	15	98 2/19	O: Not available. 33
				98 2/20	O: Not available. 30
				98 2/21	O: Not available. 25
				98 2/22	O: Not available. 10
				98 3/1	O: Not available. 79
				98 3/2	O: Not available. 78
				98 3/3	O: Not available. 90
				98 3/4	O: Not available. 66
				98 3/5	O: Not available. 70
				98 3/6	O: Not available. 106
62	66	O: Vito Costancio Roque Madeira. Marianinha Sardinha. Shri Jose Agostinho Joaquim Lawrenco Madeira.	15	98 3/7	O: Not available. 12
				98 5	O: Ligorina Vaz. 788
				112 13	O: Manuel F. Pereira. 28
<i>Boundaries :</i>					
62	65	O: Shri Jose Agostinho Joaquim Lawrenco Madeira. Marianinha Sardinha. Vito Costancio Roque Madeira.	6	North: Chalta 11, 13, 14, 10, 1, PTS 10, ch 11, 13, 14, 10, PTS 27, ch 2, 1, PTS 26, Chalta 9, 8, 6, 56, 20, 5, 16, PTS 31, Chalta 1, 3, 26, 7, 9, 27, 12, 43, 17, 18, PTS 32, ch 30, 29, 70, 47, 31, 57, PTS 45, Chalta, 38, 62, 37, 34, 64, 33, 32, 21, 20, 75, 74, 6, 101, 1, PTS 61, Chalta, 31, 30, PTS 62, Chalta, 30, 29, 28, 21, 17, 15, 66, 65, 64, 62, 61, Road.	
62	47	O: Shri Francis Xavier Domingos Quadros.	47	South: Nalla, Road, PTS 27, ch 3/19, 3/36, ch 3/35, 3/3, 3/42, 4, PTS 26, ch. 4, 15, 18, 14, 13, 12, 11, 17, 10, PTS 31, ch 28, 2, 29, 4, 5, 30, 8, 10, 31, 13, 16, 19, 20, 33, PTS 45, ch 39, 40, 41, 45, 46, PTS 61, ch 15, 68, 69, 14, 13, 12, 11, 32, 21, PTS 62, ch 31, 32, 34, 36, 102, 37, 38, 95, 33, 47, 49, 50, 52, 53, 57, 58, Road.	
62	33	O: a) Comunidade of Margao.	10	East : Road, PTS 27, ch 3/20, PTS 75, ch 13, 12, 11, 8, 7, Nalla, PTS 98, ch 2/1, 2/3, 2/11, 2/13, 2/14, 2/16, 2/17, 2/18, 2/19, 2/20, 2/21, 2/22, Nalla, 3/3, 3/4, 3/5, 3/6, 3/7, Road.	
62	95	O: Comunidade of Margao.	15	West : Road, Nalla, PTS 75, ch 1, 5, 6, PTS 98, ch 4, 1/1, 1/3, 1/4, 1/5, 1/6, 1/7, 1/8, PTS 11/2, ch 1/7, 1/1, 1/2, 1/3, Nalla.	
62	38	O: George Quadros. Shri Jose De Pidade Milagres Menino Quadros.	50	Total: 9701	
62	37	O: Shri Vasant P. Virginkar.	42	By order and in the name of the Governor of Goa.	
62	102	O: Comunidade of Margao.	6	<i>Pandharinath N. Naik</i> , Under Secretary (Rev-I).	
62	36	O: a) Hanumant B. Naoji.	40	Porvorim, 12th July, 2010.	
62	34	O: Carolina Quadros Manezes.	42		
62	32	O: Clauduia Alphonso.	32		
62	31	O: 1) Jose Maria Alphonso. 2) Maria Alphonso.	44		
75	13	O: Cartybon Private Limited.	650		
75	12	O: Shri Damodar temple.	330		
75	11	O: Standard processors Pvt. Ltd.	448		
75	8	O: Comunidade of Margao.	5		
75	9	O: Comunidade of Margao.	238		
75	7	O: Comunidade of Margao.	325		
98	2/1	O: Not available.	24		
98	2/3	O: Not available.	12		
98	2/11	O: Not available.	10		
98	2/12	O: Not available.	12		
98	2/13	O: Not available.	18		
98	2/14	O: Not available.	24		
98	2/15	O: Not available.	27		
98	2/16	O: Not available.	28		
98	2/17	O: Not available.	29		
98	2/18	O: Not available.	29		

Notification

No. 22/7/2010-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. Land Acquisition for providing approach to parking space through survey No. 8 and parking space in survey Nos. 11, 1, 19 (Part) of Village Ponda.

Now, therefore, the Government hereby notifies under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of Section 3 of the said Act, the Dy. Collector & SDO, Ponda Sub-Division, Ponda, Goa, to perform the functions of a Collector, North Goa District, Panaji-Goa, under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

1. The Collector, North Goa District, Panaji-Goa.
2. The Dy. Collector & SDO, Ponda Sub-Division Ponda-Goa.
3. The Chief Officer, Ponda Municipal Council, Ponda-Goa.
4. The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Dy. Collector & SDO, Ponda Sub-Division, Ponda-Goa, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

<i>Taluka:</i> Ponda		<i>Village:</i> Ponda
Survey No./ /Sub-Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
8 2 Part:	Gajanan Shankar Sawant.	910
6 Part	1. Rawalnath Shankar Sawant.	110
	2. Gajanan Shankar Sawant.	
	3. Krishnanath Shankar Sawant.	
5 Part	1. Rawalnath Shankar Sawant.	295
	2. Krishnanath Shankar Sawant.	
4 Part	1. Rawalnath Shankar Sawant.	10
	2. Government of Goa, Executive Engineer W.D. III, Water Resources Dept., Ponda-Goa.	
7 Part	Laxmi Kalu Naik.	370
8 Part	1. Gajanan Shankar Sawant.	390
	2. Rawalnath Shankar Sawant.	
	3. Krishnanath Shankar Sawant.	
9 Part	1. Laxmi Kalu Naik.	240
10 Part	1. Gajanan Shankar Sawant.	240
	2. Rawalnath Shankar Sawant.	
	3. Krishnanath Shankar Sawant.	
15 Part	1. Rawalnath Shankar Sawant.	40
	2. Gajanan Shankar Sawant.	
	3. Krishnanath Shankar Sawant.	
	4. Government of Goa, Executive Engineer W.D. III, Water Resources Dept., Ponda-Goa.	
1 Part	1. Rawalnath Shankar Sawant.	50
	2. Gajanan Shankar Sawant.	
	3. Krishnanath Shankar Sawant.	
11 1 Part	1. Joilda Aguiar.	450
	2. Executive Engineer, W.D. III, Water Resources Dept., Ponda.	

1	2	3	1	2	3
2 Part	1. Ramdas Nana Naik. 2. Mangala Anil Naik. 3. Savita Babai Naik.	400	28 Part	1. Ramdas Nana Naik. 2. Mangala Anil Naik. 3. Savita Babai Naik.	425
3 Part	1. Jayu Yadu Naik. 2. Lalita Ramesh Naik. 3. Vithal Yadu Naik. 4. Balkrishna Y. Naik. 5. Chaya Yadu Naik. 6. Daya Yadu Naik.	350	29 Part	Shaikh Mohamad Babar.	475
4 Part	1. Surya Mahadeo Naik.	850	30 Part	1. Jayu Yadu Naik. 2. Lalita Ramesh Naik. 3. Vithal Yadu Naik. 4. Balkrishna Y. Naik. 5. Chaya Yadu Naik. 6. Maya Yadu Naik. 7. Daya Yadu Naik.	475
5 Part	1. Shaikh Mohamad Babar.	375	31 Part	Shaikh Mohamad Babar.	550
6 Part	1. Jayu Yadu Naik. 2. Lalita Ramesh Naik. 3. Vithal Yadu Naik. 4. Balkrishna Y. Naik. 5. Chaya Yadu Naik. 6. Daya Yadu Naik. 7. Daya Yadu Naik.	475	32 Part	1. Surya Mahadeo Naik.	1150
7 Part	Joilda Aguiar.	125	33 Part	1. Jayu Yadu Naik. 2. Lalita Ramesh Naik. 3. Vithal Yadu Naik. 4. Balkrishna Y. Naik. 5. Chaya Yadu Naik. 6. Maya Yadu Naik. 7. Daya Yadu Naik. 8. Ramdas Nana Naik. 9. Mangala Anil Naik. 10. Savita Babai Naik. 11. Executive Engineer W.D. III, Water Resources Dept., Ponda.	1000
8 Part	Joilda Aguiar.	100	34 Part	1. Ramdas Nana Naik. 2. Mangala Anil Naik. 3. Savita Babai Naik. 4. Executive Engineer W.D. III, Water Resources Dept., Ponda.	425
9 Part	Joilda Aguiar.	75	35 Part	1. Shaikh Mohamad Babar. 2. Executive Engineer W.D. III, Water Resources Dept., Ponda.	875
10 Part	Joilda Aguiar.	75	36 Part	1. Jayu Yadu Naik. 2. Lalita Ramesh Naik. 3. Vithal Yadu Naik. 4. Balkrishna Y. Naik. 5. Chaya Yadu Naik. 6. Maya Yadu Naik. 7. Daya Yadu Naik. 8. Executive Engineer W.D. III, Water Resources Dept., Ponda.	200
11 Part	1. Joilda Aguiar. 2. Executive Engineer, W.D. III, Water Resources Department, Ponda.	350	37 Part	1. Shaikh Mohamad Babar. 2. Executive Engineer W.D. III, Water Resources Dept., Ponda.	200
12 Part	Joilda Aguiar.	250			
13 Part	Shaikh Mohamad Babar.	100			
14 Part	Joilda Aguiar.	225			
15 Part	Joilda Aguiar.	275			
16 Part	1. Ramdas Nana Naik. 2. Mangala Anil Naik. 3. Savita Babai Naik.	125			
17 Part	Joilda Aguiar.	250			
18 Part	Shaikh Mohamad Babar.	75			
19 Part	Shaikh Mohamad Babar.	25			
20 Part	Surya Mahadeo Naik.	150			
21 Part	Joilda Aguiar.	50			
22 Part	Joilda Aguiar.	50			
23 Part	Joilda Aguiar.	50			
24 Part	Joilda Aguiar.	50			
25 Part	Joilda Aguiar.	75			
26 Part	1. Ramdas Nana Naik. 2. Mangala Anil Naik. 3. Savita Babai Naik.	175			
27 Part	1. Jayu Yadu Naik. 2. Lalita Ramesh Naik. 3. Vithal Yadu Naik. 4. Balkrishna Y. Naik. 5. Chaya Yadu Naik. 6. Maya Yadu Naik. 7. Daya Yadu Naik.	75			

1	2	3	1	2	3
38 Part	1. Surya Mahadeo Naik.	425	48 Part	1. Ramdas Nana Naik.	225
39 Part	1. Ramdas Nana Naik.	225		2. Mangala Anil Naik.	
	2. Mangala Anil Naik.			3. Savita Babai Naik.	
	3. Savita Babai Naik.		49 Part	Shaikh Mahamad Babar.	250
40 Part	1. Jayu Yadu Naik.	225	50 Part	1. Jayu Yadu Naik.	150
	2. Lalita Ramesh Naik.			2. Lalita Ramesh Naik.	
	3. Vithal Yadu Naik.			3. Vithal Yadu Naik.	
	4. Balkrishna Y. Naik.			4. Balkrishna Y. Naik.	
	5. Chaya Yadu Naik.			5. Chaya Yadu Naik.	
	6. Maya Yadu Naik.			6. Maya Yadu Naik.	
	7. Daya Yadu Naik.			7. Daya Yadu Naik.	
41 Part	1. Ramdas Nana Naik.	200		8. Government of Goa,	
	2. Mangala Anil Naik.			Executive Engineer, W.D. III,	
	3. Savita Babai Naik.			Water Resources Dept.,	
	4. Government of Goa,			Ponda-Goa.	
	Executive Engineer, W.D. III,		51 Part	Shaikh Mahamad Babar.	150
	Water Resources Dept.,		52 Part	1. Surya Mahadeo Naik.	125
	Ponda-Goa.			2. Government of Goa,	
42 Part	1. Jayu Yadu Naik.	225		Executive Engineer, W.D. III,	
	2. Lalita Ramesh Naik.			Water Resources Dept.,	
	3. Vithal Yadu Naik.			Ponda-Goa.	
	4. Balkrishna Y. Naik.		53 Part	1. Surya Mahadeo Naik.	100
	5. Chaya Yadu Naik.			2. Government of Goa,	
	6. Maya Yadu Naik.			Executive Engineer, W.D. III,	
	7. Daya Yadu Naik.			Water Resources Dept.,	
	8. Government of Goa,			Ponda-Goa.	
	Executive Engineer, W.D. III,		54 Part	1. Ramdas Nana Naik.	125
	Water Resources Dept.,			2. Mangala Anil Naik.	
	Ponda-Goa.			3. Savita Babai Naik.	
43 Part	1. Shaikh Mohamad Babar.	225		4. Government of Goa,	
44 Part	1. Surya Mahadeo Naik.	225		Executive Engineer, W.D. III,	
	2. Government of Goa,			Water Resources Dept.,	
	Executive Engineer, W.D. III,			Ponda-Goa.	
	Water Resources Dept.,		55 Part	1. Jayu Yadu Naik.	125
	Ponda-Goa.			2. Lalita Ramesh Naik.	
45 Part	Surya Mahadeo Naik.	200		3. Vithal Yadu Naik.	
46 Part	1. Ramdas Nana Naik.	200		4. Balkrishna Y. Naik.	
	2. Mangala Anil Naik.			5. Chaya Yadu Naik.	
	3. Savita Babai Naik.			6. Maya Yadu Naik.	
	4. Government of Goa,			7. Daya Yadu Naik.	
	Executive Engineer, W.D. III,		56 Part	1. Ramdas Nana Naik.	100
	Water Resources Dept.,			2. Mangala Anil Naik.	
	Ponda-Goa.			3. Savita Babai Naik.	
47 Part	1. Jayu Yadu Naik.	200	57 Part	Shaikh Mahamad Babar.	200
	2. Lalita Ramesh Naik.		58 Part	1. Shaikh Mahamad Babar.	925
	3. Vithal Yadu Naik.			2. Executive Engineer, W.D. III,	
	4. Balkrishna Y. Naik.			Water Resources Department,	
	5. Chaya Yadu Naik.			Ponda-Goa.	
	6. Maya Yadu Naik.		59 Part	1. Shaikh Mahamad Babar.	175
	7. Daya Yadu Naik.				

1	2	3
60 Part	1. Ramdas Nana Naik. 2. Mangala Anil Naik. 3. Savita Babai Naik.	50
61 Part	1. Shaikh Mahamad Babar.	100
62 Part	1. Shaikh Mahamad Babar.	50
1 61 Part	1. Shaikh Mahamad Babar.	250
19 1 Part	1. Laxman Vaikunth Sinai Singbal. 2. Executive Engineer, W.D. III, Water Resources Department, Ponda-Goa.	760

Boundaries :

North : Nalla, S. No. 8/1.

South : Nalla.

East : S. No. 8/1, 2, 5, 6, 7, 8,
9, 10/1, 2, 2-C, 3, 5, 1/1,
12/1 & Road.West : S. No. 8/2, 4, 5, 6, 7, 8, 9,
15, Nalla.

Total: 20265

By order and in the name of the Governor
of Goa.*Pandharinath N. Naik*, Under Secretary (Rev-I).

Porvorim, 16th July, 2010.

Addendum

No. 22/12/2009-RD

Read: Notification No. 22/12/2009-RD dated 31-08-2009 regarding Land Acquisition in second phase for protection of Archae- ological remains of the temple of Shri Mahalasa at Verna Village in Salcete Taluka.

In the Schedule appended to the above referred Notification, the following survey numbers shall be added:

Survey No.	Names of the persons believed to be interested	Area
1	2	3
42/1	Bhagovonta R. Dessai. Samba Dessai. Shivaji Dessai. Narendra Dessai.	50

1	2	3
42/26	Bhagovonta R. Dessai. Samba Dessai. Shivaji Dessai. Narendra Dessai.	300

The rest of the contents of above referred Notification shall remain unchanged.

By order and in the name of the Governor
of Goa.

Pandharinath N. Naik, Under Secretary (Rev-I).

Porvorim, 12th July, 2010.

Corrigendum

No. 22/22/2009-RD

Read: Notification No. 22/22/2009-RD dated 22-12-2009 regarding Land Acquisition for construction of diversion/bypass road for mining traffic from Tisk to Sirvoi near Teacher's Colony via Mendek in Village Rivona of Sanguem Taluka and Villages Deao and Sirvoi of Quepem Taluka.

In the above read Notification, wherever the work appearing as "Tisk" shall be read as "Taak".

The rest of the contents of above Notification shall remain unchanged.

By order and in the name of the Governor
of Goa.

Pandharinath N. Naik, Under Secretary (Rev-I).

Porvorim, 13th July, 2010.

Corrigendum

No. 22/12/2009-RD

Read: Notification No. 22/12/2009-RD dated 31-08-2009 regarding Land Acquisition in second phase for protection of Archae- ological remains of the temple of Shri Mahalasa at Verna Village in Salcete Taluka.

In the Schedule appended to the above referred Notification, the area against the following survey numbers shall be read as below:

Survey Number	Area under acquisition shall be read as	Against the area notified vide above referred Notification
1	2	3
41/3	240	24
40/25	300	75
40/26	75	25
40/34	50	25
40/35	50	25
40/40	50	25
40/47	550	25
40/59	50	25
40/84	200	25

The total area shall be read as "31490 sq. mts." instead of "22525 sq. mts."

The rest of the contents of above referred Notification shall remain unchanged.

By order and in the name of the Governor of Goa.

Pandharinath N. Naik, Under Secretary (Rev-I).

Porvorim, 15th July, 2010.

Department of Printing & Stationery GOVERNMENT PRINTING PRESS

Notification

No. GPS/5-14/revised Rates/995

In supersession of all earlier orders/notifications issued on this behalf the Government has revised the subscription rates of Official Gazette Series I, II & III w.e.f. 1st July, 2010 are as below:

	All 3 Series	Series I	Series II	Series III
	Rs.	Rs.	Rs.	Rs.
For any quarter	750/-	400/-	300/-	150/-
(Postage)	60/-	15/-	15/-	15/-
For half year	1500/-	800/-	600/-	300/-
(Postage)	60/-	30/-	30/-	30/-
For any period exceeding 6 months upto one year...	3000/-	1600/-	1200/-	600/-
(Postage)	110/-	60/-	60/-	60/-

The revised rates are not applicable to the subscriber, who has already paid the subscription for the whole year 2010-11. However, the revised subscription rates will be applicable to those who subscribe for the half year or quarter starting from 1st July, 2010.

By order and in the name of the Governor of Goa.

N. D. Agrawal, Director & ex officio Joint Secretary.

Panaji, 1st July, 2010.

www.goaprintingpress.gov.in

Published and Printed by the Director, Printing & Stationery,
Government Printing Press,
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE—Rs. 20.00